



# Punjab Government Gazette

## EXTRAORDINARY

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### GOVERNMENT OF PUNJAB

DEPARTMENT OF INDUSTRIES AND COMMERCE

(Infra Section)

### NOTIFICATION

#### Punjab Telecom Guidelines (Addendum) 2022

The 4<sup>th</sup> October, 2022

**No. Infra/Telecom Guidelines/Amendments/2022/4784-B.**- In pursuance of the provisions of the Indian Telegraph Right of Way Rules (Amendment) 2021 and in continuation of earlier Notification of the Department dated 7.12.2020 and as per direction received vide DO Letter dated 11.02.2022 from Secretary, GOI, Ministry of Communication to make policy guidelines for establishment of 5G Microcell on Street Furniture, the Governor of Punjab is hereby pleased to notify the addendum to Telecom Guidelines 2020 which has received the assent of Council of Ministers on 26.09.2022.

#### 1. Time-Limit for Telecom Infrastructure Clearances

Consequent upon the integration of PBIP State Telecom Portal with the Sugam Sanchar Gati Shakti Portal of Government of India and in tune with the Indian Telegraph Right of Way Rules, 2016, clause 1.3 (e) of Telecom Guidelines 2020 is amended to the extent that maximum number of days allowed for disposal of applications shall be 60 days.

#### 2. Amendments relating to Aerial Fiberization

In pursuance of the Provisions contained in the Indian Telegraph Right of Way (Amendments) Rules, 2021, the State Telecom Guidelines dated 07.12.2020 stand amended as under:-

- a) The words "and overhead telegraph line"; shall be inserted after 'laying of underground optical fiber cable' in opening paragraph of Telecom Guideline 2020.

- b) The words "including establishing, maintaining, working, repairing, transferring or shifting" shall be affixed after Telecom Infrastructure and other issues in clause 1.3 (a) of Telecom Guidelines 2020.
- c) The expression "provided that parameters mentioned in sub clause (iii), (v), (viii) of clause 1.4 of Telecom Guidelines 2020 shall not be necessary for examination of the application made for the establishment of the Overground Telegraph Line" and "the appropriate authority shall examine the route plan of the proposed overground telegraph line and the possible interference with regard to the establishment or maintenance of such an overground telegraph line regarding any other public infrastructure that may have been laid along the proposed route" shall be incorporated in the Telecom Guidelines 2020 clause 1.3(c) as a penultimate sentence.
- d) The expression "provided that the documents mentioned in Sub-clauses (iii), (v), (viii) of Clause 1.4 shall not be required in the application made for establishment of the Overhead Telegraph Line" and "the documents related to the route plan for establishment of Overhead Telegraph Line shall be required to be provided by the licensee with the application made for establishment of Overhead Telegraph Line" be added as Sub-clause (ix) after clause 1.4 (viii) of Telecom Guidelines 2020.
- e) The expression "provided that in cases where the Overground Telegraph Line is established over the immovable property, vested in the control or management of any appropriate authority, then in such cases, one time compensation shall be payable for the value of the immovable property, not exceeding Rs 1000/- per kilometer of the Over ground Telegraph Line established" shall be incorporated after sub clause (i) (a) of clause 2.0 of Telecom Guidelines 2020.
- f) The Annual Fee/Compensation for usage of existing poles of any Authority for establishing the Over ground Telegraph Line shall be Rs. 250 per pole, utilizing which the Telegraph line is proposed to be established. New poles put up by Infrastructure Providers/Telecom Service Providers for Overhead Telegraph lines will also be required to pay Rs. 1000 per pole (one time) to the Government. It would have to be ensured that the poles installed do not interfere with civic amenities or traffic, their approval would be granted by the Concerned Urban Local Body, Divisional Town Planner or any other Competent Authority.
- g) The expression "every application for laying of Overhead Telegraph Line shall be accompanied with such fee to meet Administrative expenses for examination of application and the proposed work as the appropriate authority may by general order deem fit and provided that the one-time fee to meet the administrative expenses accompanying every application shall not exceed Rs. 1000/- per kilometer" and "As far as possible, preference will be given to underground optical fiber and aerial fiber shall only be

installed where underground optical fiber cannot be laid" shall be inserted as Clause (e) under Sub clause (I) of Clause 2.0 of Telecom Guidelines 2020.

### **3. Amendments relating to usage of Street furniture for installation of Small Cells**

In continuation of the provisions contained in State Telecom Guidelines dated 07.12.2020, the below said provision as sub-clause (v) of clause 1.5 CONDITIONS PRECEDENT is being added after deleting the present proviso sub-clause (v) in the State Telecom Guidelines 2020:-

If the applicant licensee wants to utilize the street furniture such as existing electric poles or street light poles or on any existing buildings including Bus Shelters for establishment of new generation Small Cells to enable deployment of 5G/4G (Digital Infrastructure) rollout and also for laying of Aerial Optical fiber cable, the same shall be allowed by the concerned Appropriate Authorities upon payment of annual Fee/User charges as per following terms and conditions: -

- a) The annual user charges would be Rs.250 per annum for Small Cells/Aerial Optical Fiber Cable. If in future, the Department of Telecommunication, Govt. of India, recommends the particular fees change the same will be applied prospectively in the State. In case of establishment of new poles (not mobile towers) for deployment of Small Cells, the application fee shall be Rs. 1,000/- per application.
- b) Infrastructure sharing would be encouraged on an open access basis to all mobile network operators who were active in that location. This is similar to the Small-Cell-as-a-Service (SaaS) cited by TRAI.
- c) Telecom Service Providers/Infrastructure providers shall take one time permission from the competent authority through an online application on the Invest Punjab Business First Portal or any other portal authorized by the State Government from time to time. However, the permission shall be accorded by the concerned department/corporation/agency within a maximum of 60 days of making the application. To speed up the approval process, site locations, where Electricity authorities or any other appropriate authority have permitted the installation of small cells and/or aerial optical fiber, further permission from Municipal Corporation or local bodies may not be required. Such an arrangement will especially be allowed in case of Airports/Dry ports, Railway Stations, busy Market Places and such other establishments that will require deployment of Small Cells in large numbers to provide high quality customized services. It would be ensured that the interest of Municipal Corporation is not affected and there is no interference with the properties of the corporation. The validity of this permission shall be for 20 years for the date of installation or co-terminus with the license issued by the Government of India, if applicable.
- d) The applicant shall be required to submit to the Competent Authority a self-declared application through online RoW portal for usage of street furniture for deployment of

Small Cells. Along with the written application, he shall also be required to submit the details of the street furniture, where installation of the small cells is proposed, and a copy of certification (by a structural engineer authorized by appropriate authority). The details of authorized structural engineers shall be made available on online RoW portal. The Guidelines of the Telecom Engineering Centre (TEC) in respect of structural safety of the street furniture for installation of Small Cells shall be applicable in the State of Punjab. Further, the concerned Telecom Service Provider/Infrastructure provider shall be responsible for the stability of electric poles/lamp posts. Keeping in view, the load bearing strength of the electrical poles in question, suitable envelope shall be provided by the Telecom Service Provider/Infrastructure Provider to the Electric Poles.

- e) Telecom Service Provider/Infrastructure provider shall be responsible for providing minimum clearance from the ground in the street for the conductor as per laid down rules (5.8 mtrs).

#### **4. Regularization of Irregular Towers**

In continuation to this office Notification no. Infra/TelecomGuidelines/2022/2102-A dated 10-05-2021, it has been decided to extend the benefit of Clause 2.0 (i) (a) in the Telecom Guidelines notified vide no. Infra/Telecom guidelines/2020/10807-A dated 07.12.2020 for the regularization of irregular Telecom Towers which were installed between 05.12.2013 to 07.12.2020 for a further period of six months from date of notification, subject to fulfillment of conditions contained in clause 1.4 thereof upon payment of onetime fee of Rs. 20,000. All the applications pending on Invest Punjab Business First Portal relating to regularization of towers which could not be considered because of lapse of earlier notification dated 10.05.2021 shall be considered and there will be no need to apply afresh. Further, in the office notification no. Infra/Telecom Guidelines/2022/2102-A dated 10-05-2021, the expression clause 1.4 (I) (a) may be read as clause 1.4.

Sd/-

**DILIP KUMAR, IAS**

Principal Secretary to Govt of Punjab

Department of Industries and Commerce

Punjab.

Chandigarh

The 3<sup>rd</sup>October, 2022